

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

IN THE MATTER OF)
)
TELEQUALITY COMMUNICATIONS, INC.)
) WC DOCKET NO. 02-60
REQUEST FOR REVIEW OF DECISION OF)
THE UNIVERSAL SERVICE)
ADMINISTRATOR)

TO: THE WIRELINE COMPETITION BUREAU

PETITION FOR RECONSIDERATION

TeleQuality Communications, Inc. (“TQCI”), by its attorney and pursuant to sections 54.722(b) and 1.106(f) of the Commission’s Rules, hereby petitions for reconsideration of the Wireline Competition Bureau’s streamlined denial of its request for review of the Universal Service Administrator’s (“USAC”) denial of the appeal of Gonzales Community Health Center (“Gonzales”) of USAC’s denial of its request for funding under the Rural Health Care (RHC) program.¹

TQCI seeks reconsideration on behalf of Gonzales fundamentally because Gonzales and TQCI did not violate the RHC program’s competitive bidding rules, as USAC and the Bureau initially ruled.² Rather, Gonzales complied fully with the rules, and particularly the 28-day

¹ DA 17-505 (rel. May 31, 2017), p. 14 (“Bureau Streamlined Denial”). See TeleQuality Communications, Inc. Request for Review, WC Docket No. 02-60, filed March 10, 2017 (“TQCI FCC Appeal”), available at [https://www.fcc.gov/ecfs/search/filings?date_received=%5Bgte%5D2017-3-10%5Blte%5D2017-3-31&proceedings_name=02-60&q=filers.name:\(*Telequality*\)&sort=date_disseminated,DESC](https://www.fcc.gov/ecfs/search/filings?date_received=%5Bgte%5D2017-3-10%5Blte%5D2017-3-31&proceedings_name=02-60&q=filers.name:(*Telequality*)&sort=date_disseminated,DESC); Letter from USAC, Rural Health Care Division, to Mr. Raziel De La Barreda, Gonzales Community Health Center (Jan. 11, 2017) (“USAC Appeal Denial”), available at <https://ecfsapi.fcc.gov/file/1031065801276/Decision.pdf>.

² Bureau Streamlined Denial at n.29; USAC Denial, *passim*.

“waiting period” rule,³ but the complex fact situation and timeline concerning this matter was understandably misunderstood by USAC and the Bureau in their prior denials, and arguably inadequately explained by Gonzales and TQCI in the prior appeals. In this Petition TQCI demonstrates succinctly that the rules and Commission precedent were fully observed, and accordingly the subject funding denial for FY 2016 should be reversed and funding should be duly granted.

I. OVERVIEW AND SUMMARY

In summary, as further demonstrated below:

1. Gonzales duly posted an FCC Form 465 for Funding Year 2015 on January 13, 2015, describing its needs as “communication between locations to facilitate healthcare, for the underserved communities.”⁴ After the requisite 28-day competitive bidding period, Gonzales selected TQCI, and initially opted to obtain Bonded T1 service at 10.5 Mbps under an active pre-existing contract. On March 19, 2015, Gonzales duly submitted Form 466 (FRN 1558207 for contract GON.TX.071814.0101), and USAC approved funding and duly issued an FCL on June 3, 2015. Later during FY2015, Gonzales sought to upgrade this service for the same location to a DS3 (45 Mbps) service, and on May 24, 2016 duly submitted another Form 466 (FRN 1581234), and USAC again approved funding and duly issued an FCL on June 8, 2016. Neither of these matters is in dispute.
2. On April 5, 2016, still under the FY 2015 Form 465, Gonzales signed two additional service agreements for two additional circuits unrelated to the DS3 circuit, at different locations: one for an additional Bonded T1 (10.5 Mbps) service, and the other for Ethernet (10 Mbps) service.
3. The services under paragraph 1 above were activated during FY 2015. For the services contracted for under paragraph 2, Gonzales requested activation by TQCI within FY 2015 and TQCI immediately began performance by ordering the circuits from its underlying carrier and initiating other pre-installation services under the April 5 service agreements (on April 29 and April 22, 2016, respectively) with the intention to activate these services within FY 2015. However, due to delays incurred in the circuit ordering process,⁵ TQCI was unable to activate these circuits before the end of FY 2015. For this reason, Gonzales did not submit Form 466 funding requests for these circuits in FY 2015—for the simple reason that there were no charges to be

³ 47 C.F.R. § 54.603(a), (b)(1), (3) (2016).

⁴ See Exhibit 1 hereto.

⁵ See TQCI FCC Appeal, *supra* note 1, at pp. 2-3, 4.

funded, as no invoices had been issued or received for services that were not activated during the 2015 Funding Year.

4. In the meantime, for the upcoming Funding Year 2016, Gonzales duly posted a Form 465 on May 24, 2016, in order to continue to obtain the same services described in paragraph 3. For that reason, the Form 465 gave a description of its needs identical to that in its FY 2015 Form 465: “communication between locations to facilitate healthcare, for the under-served communities.”⁶ For this Form 465, no bids were received during the 28-day period that ended on June 21, 2016. Because the underlying services sought for FY 2016 were the same as the services contemplated under the April 5, 2016 agreements that had been signed for FY 2015 and under which TQCI had begun performance (although due to the delays the circuits had not been activated), and because TQCI was the only service provider in the absence of other bids, Gonzales elected to take service under those pre-existing active contracts from TQCI. On August 29, 2016, Gonzales duly submitted Forms 466 for these services (FRN 1687929, 1687934), appropriately listing the pre-existing April 5, 2016 contracts. These are the services that were denied funding and which are the subject of the prior appeals and this request for reconsideration.
5. Therefore, in summary: Gonzales and TQCI did not violate the competitive bidding rules (i.e., the 28-day rule) by executing “new” contracts prior to the expiration of the 28-day bidding period for its FY 2016 Form 465. Rather, after the 28-day period elapsed on June 21, 2016 with no other bids, Gonzales adopted the pre-existing active contracts with TQCI that had been executed during and for FY 2015 and under which TQCI had begun performance within FY 2015. Properly construed and in fact, the FY 2016 funding request was for continuation of services that had been contracted for and begun in the prior funding year, although the circuits had not yet been activated.
6. Finally, it is important to note that neither Gonzales nor TQCI has sought or expects payment for the pre-installation services provided during FY 2015 under the April 5, 2016 contracts which occurred between April 22, 2016 and June 30, 2016, when FY 2015 ended. In fact, this is the source of the confusion surrounding this matter: Gonzales did not submit a Form 466 for these services during FY 2015 because there was nothing to fund: billing had not started. Indeed, for this reason, USAC likely would have denied funding under any such Forms 466. TQCI was able to activate those circuits only on July 1, 2016. Therefore, contractually, TQCI did not request payment for the pre-activation work, and Gonzales did not render payment. Rather, the parties recognize that payment, and funding, are appropriate only upon the activation of the subject circuits during FY 2016.

⁶ See Exhibit 2 hereto.

As TQCI noted in its prior request for review to this Bureau, TQCI has provided various types of telecommunications service to different locations for Gonzales. Each contract has a distinct Contract Number. Moreover, each service *location* has a unique Billing Account Number (BA#). The relevant contracts were included in TQCI's prior FCC appeal,⁷ and **Exhibit 3** hereto is a spreadsheet showing the history of each service, the corresponding contracts and BA #s, and, where applicable, the accompanying FRNs, Form 466 filing dates, and USAC actions.

II. GONZALES DID NOT VIOLATE THE COMPETITIVE BIDDING RULES

The essence of USAC's denial of funding and its denial of Gonzales' appeal, which was upheld by the Bureau in its May 31 streamlined decision, is that Gonzales entered into "new" contracts with TQCI before the expiration of the required 28-day bidding period, and indeed even before Gonzales submitted its Form 465 for Funding Year 2016, in violation of the program's competitive bidding rules. USAC found that the limited exception to the 28-day period rule established in the Bureau's *Kalamazoo Order*⁸ and clarified more recently for the RHC program in its *Waukon Order*⁹ did not apply, because "those circumstances are not present here."¹⁰ That exception states that "applicants may use contracts signed before the expiration of the 28-day waiting period if: "(i) the applicant is choosing to continue service under an existing contract; (ii) the applicant competitively bid the services for the new funding year; and (iii) the applicant decides, after reviewing the competitive bids, to continue with the existing contract."¹¹ In this finding, the USAC Appeal Denial was in error: as demonstrated above, **Gonzales did all of these things.**

⁷ See exhibits to TQCI FCC Appeal, available at <https://www.fcc.gov/ecfs/filing/1031065801276>.

⁸ *Request for Review of the Decision of the Universal Service Administrator by Kalamazoo Pub. Schs.*, CC Docket No. 96-45, Order on Reconsideration, 17 FCC Rcd 22154, 22157-58, paras. 6-7 (2002).

⁹ *Request for Review Franciscan Skemp Waukon Clinic*, WC Docket No. 02-60, Order, 29 FCC Rcd 11714, 11715, (2014) (*Waukon Order*).

¹⁰ USAC Appeal Denial at p. 3.

¹¹ *Waukon Order* at para. 3 (citing *Kalamazoo*, *supra*).

The USAC Appeal Denial emphasized (and twice italicized) the *Waukon* exception's phrase "*to continue service under an existing contract*," and the fact that "Gonzales did not submit any FY 2015 funding requests" for the services at issue, and concluded that "[b]ecause Gonzales was not continuing to receive services through an active contract, and instead signed *new contracts* with TeleQuality before the start of the 28-day waiting period for Gonzales's FY 2016 FCC Form 465, Gonzales did not comply with the FCC's competitive bidding rules."¹² In upholding that ruling, the Bureau's streamlined denial "agree[d] with USAC's assessment that the April 5, 2016 TeleQuality contracts were new contracts for FY 2016 executed 39 days before Gonzales posted its FY 2016 FCC Form 465."¹³

But, as shown above, these were not "new" contracts for FY 2016; they were contracts executed during FY 2015 that were intended to be for service during the latter months of FY 2015, and under which ordering and provisioning actually began during FY 2015, which allowed the circuits to actually be activated on July 1, 2016, one day into FY 2016.

The USAC appeal denial and the Bureau's streamlined denial also make much of the fact that the April 5, 2016 contracts stated that "the term shall begin upon circuit completion date,"¹⁴ and found that since "the underlying services had not been *activated* in FY 2015" but rather on the July 1, the first day of FY 2016, the contracts were not "existing active contracts" in FY 2015 that could be adopted for FY 2016.¹⁵ As the Bureau's denial stated:

TeleQuality officially activated the contracted services on July 1, 2016, *i.e.*, the beginning of FY 2016, and the contract term was to commence on that date. The exception outlined in the *Waukon Order* applies to the continuation of services

¹² USAC Appeal Denial at p. 3 (emphasis in original), citing *Waukon Order* at para. 9.

¹³ Bureau Streamlined Denial at n. 29.

¹⁴ USAC Appeal Denial at p. 2. See also Bureau Streamlined Denial at n. 29.

¹⁵ Bureau Streamlined Denial at n. 29 (emphasis supplied).

from one FY to the next under an existing, active contract; it does not apply to new contracts that were not in effect the previous FY or to new contracts for services that had not been activated in the previous FY. Because, in this instance, the contract term began on July 1, 2016, and the underlying services had not been activated in FY 2015, Gonzales could not have chosen to continue services from FY 2015 to FY 2016 under *Waukon*.¹⁶

With respect to the “contract term” issue, the term was *not* to commence on July 1, in FY 2016: it was to commence “upon circuit completion date.” As TQCI explained in its appeal to the Bureau, although under the contracts it was not to charge Gonzales for services until they were actually activated, it began to perform its obligations under the April 5 contracts immediately, in its best effort to *ready* the services for activation during FY 2015. As TQCI explained:

Once TQCI receives a signed contract, the provisioning process begins and the customer receives weekly updates on the status of the order. In the matter at hand, TQCI received signed contracts on April 5, 2016 and placed orders to the underlying carrier later in April, thus beginning the provisioning process. Provisioning a telecommunications network encompasses preparation of the service by the underlying carrier, facility work, configuration and installation of the customer premise equipment (CPE), and finally a test and turn up (TTU) process. The TTU process consists of connecting CPE to the circuit, testing the circuit, and customer acceptance of the circuit upon completion of testing. The intent of both TQCI and Gonzales was to have these services active as quickly as possible, and certainly within the then-active funding year. Due to the lack of carrier facilities and availability of technicians in this rural area, TQCI was unable to accomplish service activation prior to the end of FY 2015. However, TQCI was clearly working diligently on behalf of the customer, and regularly communicating this work to the customer, for the entire duration of time between receipt of signed customer contracts and eventual service activation. Although the underlying service hadn’t been activated, and thus the customer had not started receiving service bills, it is illogical to argue that TQCI was not providing valuable service to its customer.¹⁷

As TQCI concluded: “Gonzales expected to receive telecommunications service as quickly as possible from TQCI, which, in turn, was working diligently to accomplish the task.”¹⁸

Accordingly, Gonzales did have active, existing contracts with TQCI during FY 2015 that were eligible for adoption by Gonzales in FY 2016 under *Waukon*, in the absence of any

¹⁶ *Id.*

¹⁷ TQCI FCC Appeal at pp. 2-3

¹⁸ *Id.* at p. 3.

other bids. TQCI was performing the contracts in April, May and June of 2016, with the objective and intention of activating the services during FY 2015. Gonzales and TQCI should not be penalized for making best efforts to activate the services during FY 2015. Nor should Gonzales be penalized for not filing a Form 466 for those contracted services before the end of FY 2015, since the services had not yet been turned on or billed as of June 30, 2015.

To the extent that the streamlined Bureau denial found that “[t]he exception outlined in the *Waukon Order* . . . does not apply to . . . contracts for services that had not been *activated* in the previous FY,”¹⁹ TQCI respectfully submits that neither the *Waukon Order* nor the *Kalamazoo Order* stand for such a proposition, nor should such a finding be made now. First, in *Waukon*, wherein the HCP’s appeal was denied, the HCP had argued that it adhered to the competitive bidding rules because “*after it signed a service contract with Charter, it took appropriate action to seek competitive bids by posting an FCC Form 465.*”²⁰ In *Kalamazoo*, where there *was* an existing contract, the Bureau granted the appeal. And in the *Cochrane-Fountain City School District Order*, the precursor to *Kalamazoo* that established the existing-contract exception, the Bureau ruled that “an applicant with an existing contract that was not previously posted is obligated only to post its requests, carefully consider all bona fide bids submitted, and wait the requisite 28-day time period prior to renewing an existing contract for the funding year for which it is requesting discounts.”²¹ This is exactly what Gonzales did. In this case, Gonzales and TQCI adhered to the competitive bidding rules under all these

¹⁹ Bureau Streamlined Denial at n. 29 (emphasis added).

²⁰ *Waukon Order* at para. 5 (emphasis added).

²¹ *Request for Review by Cochrane-Fountain City School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, File No. SLD-140683, CC Dockets No. 96-45 and 97-21, Order, 15 FCC Rcd 16628 (Com. Car. Bur. 2000).

precedents, and Gonzales' adoption of the existing TQCI contracts falls squarely under the *Waukon* exception.²²

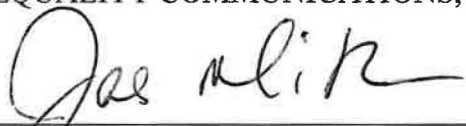
III. CONCLUSION

Failure to reverse USAC's erroneous decision to deny funding for these necessary telecommunications services would have a terrible and adverse impact on Gonzales. The budgetary ramifications of Gonzales being denied appropriate and proper funding would be great, and could force Gonzales to make difficult choices, such as whether to scale back the care provided at remote rural facilities, or possibly cut staffing levels, in order to offset the cost of lost RHC program funding. Gonzales followed the program rules, and should not be penalized for doing so simply because the factual situation around its program compliance is complex and confusing. The Bureau should uphold the spirit and purpose of the RHC program--assisting healthcare providers in rural communities to receive support for the often costly but critical telecommunications services required to provide quality healthcare--as well as its own precedents in *Cochrane*, *Kalamazoo* and *Waukon*, by granting this petition and restoring the appropriately-requested funding.

²² The Kalamazoo Order states specifically that "applicants who, after a bidding process, choose to continue service under an existing contract need not formally enter into a new contract," Kalamazoo at para. 7 (emphasis added), TCQI recognizes that the Bureau has suggested that it is "advisable" to "memorialize that decision after the bidding process is complete," Kalamazoo at para. 1. See Waukon at para. 3 (applicants are "encouraged to memorialize, at the conclusion of the 28-day waiting period, its decision to continue under the existing contract and to enter the date of its memorialization as the contract award"), inasmuch as "such action will help SLD to determine whether the applicant has in fact properly complied with the Commission's competitive bidding requirements" and that such a memorialization "will help SLD during application review to recognize instances where an applicant's reliance on an existing contract does not facially violate competitive bidding rules." Kalamazoo at para. 7. Indeed, TQCI's prior FCC Appeal acknowledged that this is a best practice, see *id.* at p. 4, and will follow this suggestion in any future HCP adoptions of existing contracts for which RHC funding will be sought.

Respectfully submitted,

TELEQUALITY COMMUNICATIONS, INC.

By 

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Its Attorney

June 29, 2017

DECLARATION

I declare under penalty of perjury that the foregoing Petition for Reconsideration is true and correct to the best of my knowledge and belief.

Executed on this 28 day of June, 2017

A handwritten signature in black ink, appearing to read 'Justin A. Volker', written over a horizontal line.

Justin A. Volker
Director of Regulatory Affairs
TeleQuality Communications, Inc.

EXHIBIT 1

Funding Year 2015 FCC Form 465

Health Care Providers Universal Service
Description of Services Requested & Certification Form

Estimated time per response: 1 hour

Read instructions thoroughly before completing this form. Failure to comply may cause delayed or denied funding.

Form 465 Application Number (assigned by RHCD) 43150101

Block 1: HCP Location InformationInformation required in this block applies to the **physical location** of the HCP. Do not enter a "PO Box" or "Rural Route" address.

1 HCP Number 26215	2 Consortium Name	
3 HCP Name Gonzales Community Health Center	4 HCP FCC Registration Number (FCC RN) 0023314917	
5 Contact Name Raziel De La Barreda		
6 Address Line 1 228 St. George Street		
7 Address Line 2 PO Box 1890	8 County Gonzales	
9 City Gonzales	10 State TX	11 ZIP Code 78629
12 Phone # (830) 672-6511 206	13 Fax # (830) 672-6430	14 E-mail delabarredar.gonzales@tachc.org

Block 2: HCP Mailing Contact Information

15 Is the HCP's mailing address (where correspondence should be sent) different from its physical location described in Block 1?	<input checked="" type="checkbox"/> Yes, complete Block 2 <input type="checkbox"/> No, go to Block 3.	
16 Contact Name Raziel De La Barreda	17 Organization Community Health Centers of South Central Texas Inc.	
18 Address Line 1 P.O. Box 1890		
19 Address Line 2		
20 City Gonzales	21 State TX	22 ZIP Code 78629
23 Phone # (830) 672-6511 206	24 Fax # (830) 672-6430	25 E-mail delabarredar.gonzales@tachc.org

Block 3: Funding Year Information

26 Funding Year (Check only one box)
<input type="checkbox"/> Year 2013 (7/1/2013-6/30/2014) <input type="checkbox"/> Year 2014 (7/1/2014-6/30/2015) <input checked="" type="checkbox"/> Year 2015 (7/1/2015-6/30/2016)

Block 4: Eligibility

27 Only the following types of HCPs are eligible. Indicate which category describes the applicant. (Check only one.)	
<input type="checkbox"/> Post-secondary educational institution offering health care instruction, teaching hospital or medical school	<input type="checkbox"/> Rural health clinic
<input checked="" type="checkbox"/> Community health center or health center providing health care to migrants	<input type="checkbox"/> Consortium of the above
<input type="checkbox"/> Local health department or agency	<input type="checkbox"/> Dedicated ER of rural, for-profit hospital
<input type="checkbox"/> Community mental health center	<input type="checkbox"/> Part-time eligible entity
<input type="checkbox"/> Not-for-profit hospital	

28 If consortium, dedicated emergency department, or part-time eligible entity was selected in Line 27, please describe the entity.

29 Please describe the eligible health care provider's telecommunications and/or Internet service needs, so that service providers may bid to provide the services. The description should describe whether video or store and forward consultations will be used, whether large image files or X-rays will be transmitted, the quality of connection needed, or other relevant considerations. Need communication between locations to facilitate healthcare, for the underserved communities.

Block 5: Request for Services

30 Is the HCP requesting reduced rates for:
<input type="checkbox"/> Both Telecommunications & Internet Services <input checked="" type="checkbox"/> Telecommunications Service ONLY <input type="checkbox"/> Internet Service ONLY

Block 6: Certification

31 <input checked="" type="checkbox"/> I certify that I am authorized to submit this request on behalf of the above-named entity or entities, that I have examined this request, and that to the best of my knowledge, information, and belief, all statements of fact contained herein are true.	
32 <input checked="" type="checkbox"/> I certify that the health care provider has followed any applicable State or local procurement rules.	
33 <input checked="" type="checkbox"/> I certify that the telecommunications services and/or Internet access charges that the HCP receives at reduced rates as a result of the HCPs' participation in this program, pursuant to 47 U.S.C. Sec. 254 as implemented by the Federal Communications Commission, will be used solely for purposes reasonably related to the provision of health care service or instruction that the HCP is legally authorized to provide under the law of the state in which the services are provided and will not be sold, resold, or transferred in consideration for money or any other thing of value.	
34 <input checked="" type="checkbox"/> I certify that the health care provider is a non-profit or public entity.	
35 <input checked="" type="checkbox"/> I certify that the health care provider is located in a rural area. Visit the RHCD website: (http://www.usac.org/rhc/tools/rhcd/Rural/2005/search.asp) or contact RHCD at 1-800-229-5476 for a listing of rural areas.	
36 <input checked="" type="checkbox"/> Pursuant to 47 C.F.R. Secs. 54.601 and 54.603, I certify that the HCP or consortium that I am representing satisfies all of the requirements herein and will abide by all of the relevant requirements, including all applicable FCC rules, with respect to funding provided under 47 U.S.C. Sec. 254.	
37 Signature Electronically signed	38 Date 13-Jan-2015
39 Printed name of authorized person Raziel De La Barreda	40 Title or position of authorized person Chief Information Officer
41 Employer of authorized person Community Health Center Of South Central Texas Inc	42 Employer's FCC RN 0023314917

Please remember:

- Form 465 is the **first** step a health care provider must take in order to receive the benefit of reduced rates resulting from participation in this universal service support program.
- After the HCP submits a complete and accurate Form 465, the RHCD will post it on the RHCD web site for 28 days.
- HCPs may not enter into agreements to purchase eligible services from service providers before the **28 days expire**.
- After the HCP selects a service provider, the HCP must initiate the **next** step in the application process, the filing of Form 466 and/or 466A.

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 3 of the Commission's Rules authorize the FCC to request the information on this form. The purpose of the information is to determine your eligibility for certification as a health care provider. The information will be used by the Universal Service Administrative Company and/or the staff of the Federal Communications Commission, to evaluate this form, to provide information for enforcement and rulemaking proceedings and to maintain a current inventory of applicants, health care providers, billed entities, and service providers. No authorization can be granted unless all information requested is provided. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERF, Paperwork Reduction Act Project (3060-0804), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to pra@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0804.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

This form should be submitted to:

Rural Health Care Division
30 Lanidex Plaza West, P.O.Box 685
Parsippany NJ 07054-0685

EXHIBIT 2

Funding Year 2016 FCC Form 465

Health Care Providers Universal Service
Description of Services Requested & Certification Form**Read instructions thoroughly before completing this form. Failure to comply may cause delayed or denied funding.**

Form 465 Application Number (assigned by RHCD) 43165467

Block 1: HCP Location InformationInformation required in this block applies to the **physical location** of the HCP. Do not enter a "PO Box" or "Rural Route" address.

1 HCP Number 26215	2 Consortium Name	
3 HCP Name Gonzales Community Health Center	4 HCP FCC Registration Number (FCC RN) 0023314917	
5 Contact Name Raziel De La Barreda		
6 Address Line 1 228 St. George Street		
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Block 2: HCP Mailing Contact Information

15 Is the HCP's mailing address (where correspondence should be sent) different from its physical location described in Block 1?	<input checked="" type="checkbox"/> Yes, complete Block 2 <input type="checkbox"/> No, go to Block 3.	
16 Contact Name Raziel De La Barreda	17 Organization Community Health Centers of South Central Texas Inc.	
18 Address Line 1 P.O. Box 1890		
19 Address Line 2		
20 City Gonzales	21 State TX	22 ZIP Code 78629
23 Phone # (830) 672-6511 206	24 Fax # (830) 672-6430	25 E-mail delabarredar.gonzales@tachc.org

Block 3: Funding Year Information

26 Funding Year (Check only one box)
<input checked="" type="checkbox"/> Year 2016 (7/1/2016-6/30/2017) <input type="checkbox"/> Year 2017 (7/1/2017-6/30/2018) <input type="checkbox"/> Year 2018 (7/1/2018-6/30/2019)

Block 4: Eligibility

27 Only the following types of HCPs are eligible. Indicate which category describes the applicant. (Check only one.)	
<input type="checkbox"/> Post-secondary educational institution offering health care instruction, teaching hospital or medical school	<input type="checkbox"/> Rural health clinic
<input checked="" type="checkbox"/> Community health center or health center providing health care to migrants	<input type="checkbox"/> Consortium of the above
<input type="checkbox"/> Local health department or agency	<input type="checkbox"/> Dedicated ER of rural, for-profit hospital
<input type="checkbox"/> Community mental health center	<input type="checkbox"/> Part-time eligible entity
<input type="checkbox"/> Not-for-profit hospital	

28 If consortium, dedicated emergency department, or part-time eligible entity was selected in Line 27, please describe the entity.

29 Please describe the eligible health care provider's telecommunications and/or Internet service needs, so that service providers may bid to provide the services. The description should describe whether video or store and forward consultations will be used, whether large image files or X-rays will be transmitted, the quality of connection needed, or other relevant considerations. Need communication between locations, to facilitate healthcare for the under-served communities.

Block 5: Request for Services

30 Is the HCP requesting reduced rates for:
<input type="checkbox"/> Both Telecommunications & Internet Services <input checked="" type="checkbox"/> Telecommunications Service ONLY <input type="checkbox"/> Internet Service ONLY

Block 6: Certification

31 <input checked="" type="checkbox"/> I certify that I am authorized to submit this request on behalf of the above-named entity or entities, that I have examined this request, and that to the best of my knowledge, information, and belief, all statements of fact contained herein are true.	
32 <input checked="" type="checkbox"/> I certify that the health care provider has followed any applicable State or local procurement rules.	
33 <input checked="" type="checkbox"/> I certify that the telecommunications services and/or Internet access charges that the HCP receives at reduced rates as a result of the HCPs' participation in this program, pursuant to 47 U.S.C. Sec. 254 as implemented by the Federal Communications Commission, will be used solely for purposes reasonably related to the provision of health care service or instruction that the HCP is legally authorized to provide under the law of the state in which the services are provided and will not be sold, resold, or transferred in consideration for money or any other thing of value.	
34 <input checked="" type="checkbox"/> I certify that the health care provider is a non-profit or public entity.	
35 <input checked="" type="checkbox"/> I certify that the health care provider is located in a rural area. Visit the Eligible Rural Areas Search Tool on the Telecommunications Program web page at http://usac.org/rhc/telecommunications/tools/rural/search/search.asp or contact RHCD at (800) 453-1546 for a listing of rural areas.	
36 <input checked="" type="checkbox"/> Pursuant to 47 C.F.R. Secs. 54.601 and 54.603, I certify that the HCP or consortium that I am representing satisfies all of the requirements herein and will abide by all of the relevant requirements, including all applicable FCC rules, with respect to funding provided under 47 U.S.C. Sec. 254.	
37 Signature Electronically signed	38 Date 24-May-2016
39 Printed name of authorized person Raziel De La Barreda	40 Title or position of authorized person Chief Information Officer
41 Employer of authorized person Community Health Center Of South Central Texas Inc	42 Employer's FCC RN 0023314917

Please remember:

- ◆ Form 465 is the first step a health care provider must take in order to receive the benefit of reduced rates resulting from participation in this universal service support program.
- ◆ After the HCP submits a complete and accurate Form 465, RHCD will post it on the RHCD web site for 28 days.
 - ◆ HCPs may not enter into agreements to purchase eligible services from service providers before the **28 days expire**.
 - ◆ After the HCP selects a service provider, the HCP must initiate the **next** step in the application process, the filing of Form 466 and/or 466A.

Persons willfully making false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 3 of the Commission's Rules authorize the FCC to request the information on this form. The purpose of the information is to determine your eligibility for certification as a health care provider. The information will be used by the Universal Service Administrative Company and/or the staff of the Federal Communications Commission, to evaluate this form, to provide information for enforcement and rulemaking proceedings and to maintain a current inventory of applicants, health care providers, billed entities, and service providers. No authorization can be granted unless all information requested is provided. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Act Project (3060-0804), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to pra@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0804.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

This form should be submitted online through the RHC Program online application system, My Portal.
<https://forms.universalservice.org/usaclogin/login.asp>

EXHIBIT 3

Document Associations Spreadsheet

HCP #	Funding Year	Funding Year Dates	Service Type & Bandwidth	Form 465 #	Form 465 File Date	Contract #	Contract Signature Date	Billing Account #	Date Pre-bidding Began	Date Service Installed	FBN	Form 466 Submission Date	Form 466 Approval Date	Notes
26215	2015	7/1/2015 - 6/30/2016	Bonded T1 (10.5 Mbps)	43150101	1/13/2015	GON.TX.071814.0101	08/25/2014 (pre-existing)	GON.TX.0001	7/2/2014	12/23/2014	1558207	3/19/2015	6/3/2015	Continued existing contract. Later replaced by contract #: GON.TX.0080315.0134
26215	2015	7/1/2015 - 6/30/2016	DS3 (45 Mbps)	43150101	1/13/2015	GON.TX.0080315.0134	10/19/2015	GON.TX.0006	10/28/2015	5/17/2016	1581234	5/24/2016	6/8/2016	Replaced contract #: GON.TX.071814.0101
26215	2015	7/1/2015 - 6/30/2016	Bonded T1 (10.5 Mbps)	43150101	1/13/2015	GON.TX.031716.0040	4/5/2016	GON.TX.0009	4/29/2016	7/1/2016	N/A	N/A	N/A	Service not installed in time to submit FY 2015 FRN
26215	2015	7/1/2015 - 6/30/2016	Ethernet (10 Mbps)	43150101	1/13/2015	GON.TX.031716.0041	4/5/2016	GON.TX.0010	4/22/2016	7/1/2016	N/A	N/A	N/A	Service not installed in time to submit FY 2015 FRN
26215	2016	7/1/2016 - 6/30/2017	Bonded T1 (10.5 Mbps)	43165467	5/24/2016	GON.TX.031716.0040	04/05/2016 (pre-existing)	GON.TX.0009	4/29/2016	7/1/2016	1687929	8/29/2016	Pending Appeal	Continued existing contract #: GON.TX.031716.0040
26215	2016	7/1/2016 - 6/30/2017	Ethernet (10 Mbps)	43165467	5/24/2016	GON.TX.031716.0041	04/05/2016 (pre-existing)	GON.TX.0010	4/22/2016	7/1/2016	1687934	8/29/2016	Pending Appeal	Continued existing contract #: GON.TX.031716.0041